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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/816,693	03/22/2001	Semih Secer	10010462-1	5215

29053 7590 07/01/2004

DALLAS OFFICE OF FULBRIGHT & JAWORSKI L.L.P.
2200 ROSS AVENUE
SUITE 2800
DALLAS, TX 75201-2784

EXAMINER

OSMAN, RAMY M

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 07/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/816,693	Applicant(s) SECER, SEMIH	
	Examiner Ramy M Osman	Art Unit 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims rejected under 35 U.S.C. 102(e) as being anticipated by Kekic et al (US Patent No 6,664,978).

3. In reference to claim 1, Kekic teaches a system for managing network elements, said system comprising:

at least one network element; management information base operable to store objects; management processor communicatively coupled to said management information base (Abstract, column 2 line 30 – column 3 line 10, column 15 line 55 – column 16 line 30, column 22 lines 17-67 and column 30 line 10 – column 31 line 25);

at least one gateway communicatively coupled to said management processor, said at least one gateway operable to manage said at least one network element (column 5 lines 5-50, column 7 lines 10-55 and column 16 line 15 – column 17 line 40); and
at least one object stored in said management information base defining management behavior for managing said at least one network element, said at least one object including a relationship attribute identifying said at least one gateway (Abstract, column 2 line 30 – column 3 line 10,

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column 15 line 55 – column 16 line 30, column 22 lines 17-67 and column 30 line 10 – column 31 line 25).

4. In reference to claim 2, Kekic teaches the system of claim 1 further comprising:

software code executable by said management processor for generating a user interface with which a user can interact to define management behavior (column 5 line 30 – column 6 line 50 and column 14 line 39 – column 15 line 40).

5. In reference to claim 3, Kekic teaches the system of claim 2 wherein user-defined management behavior can be activated at run-time of said management processor (Abstract and column 51 lines 35-51).

6. In reference to claim 4 Kekic teaches system of claim 1 wherein said management behavior includes behavior associated with managing trap messages received from said at least one network element (column 3 line 60 – column 4 line 30, column 7 line 20 – column 8 line 15, column 19 lines 10-35 and column 20 lines 15-35).

7. In reference to claim 5 Kekic teaches the system of claim 1 wherein said management behavior includes behavior associated with managing polling activities (column 6 lines 15-30, column 7 lines 1-53 and column 17 line 40 – column 18 line 35).

8. In reference to claim 6 Kekic teaches the system of claim 1 wherein said management behavior includes one or more behaviors selected from the group consisting of:

generating an alert, logging information to a database, logging information to another system, initiating a polling activity, filtering information, performing suppression of information, performing correlation of information, performing thresholding, triggering an e- mail message,

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triggering a page, and any combination thereof (column 27 lines 1-40, column 42 lines 15-55, column 47 line 20 – column 48 line 50 and column 86 lines 10-60).

9. In reference to claim 7 Kekic teaches the system of claim 1 further comprising:
a plurality of network elements; and a plurality of said gateways each operable to manage one or more of said plurality of network elements (column 42 line 60 – column 43 line 35).

10. In reference to claim 8 Kekic teaches the system of claim 7 further comprising:
a plurality of objects stored in said management information base each defining different management behavior (column 2 lines 33-67, column 6 line 50 – column 7 line 40, column 15 line 55 – column 16 line 30 and column 42 line 60 – column 43 line 35).

11. In reference to claim 9 Kekic teaches the system of claim 8 wherein each of said plurality of objects includes a relationship attribute identifying at least one of said plurality of gateways that is executable to perform management behavior defined by such object (column 5 lines 5-60, column 38 lines 49-67, column 46 lines 2-55 and column 77 lines 15-65).

12. In reference to claim 10 Kekic teaches the system of claim 8 wherein said management processor is operable to autonomously determine appropriate one or more of said plurality of gateways to which each of said objects relates, and wherein said management processor is operable to autonomously communicate one or more of said plurality of objects to the determined appropriate one or more of said plurality of gateways (column 51 lines 2-51 and column 52 line 55 – column 53 line 67).

13. In reference to claim 11 Kekic teaches the system of claim 10 wherein the determined appropriate one or more of said plurality of gateways stores said one or more of said plurality of

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objects local thereto (column 2 lines 33-67, column 6 line 50 – column 7 line 40, column 15 line 55 – column 16 line 30 and column 42 line 60 – column 43 line 35).

14. In reference to claim 12 Kekic teaches the system of claim 10 wherein the said management processor is operable to autonomously communicate one or more of said plurality of objects to the determined appropriate one or more of said plurality of gateways responsive to a user defining a new management behavior represented by said one or more of said plurality of objects (column 27 line 40 – column 28 line 23, column 34 lines 10-67, column 39 lines 35-60 and column 40 lines 10-60).

15. In reference to claim 13 Kekic teaches the system of claim 12 wherein said management processor executes to present a user interface to a user to enable said user to define management behavior thereby creating new objects to be stored in said management information base or modifying existing ones of said objects stored in said management information base (column 5 line 30 – column 6 line 50, column 14 line 39 – column 15 line 40, column 26 line 60 – column 27 line 55 and column 29 lines 10-30 and column 30 lines 11-59).

16. Claims 14-33 do not define any new limitations above claims 1-13 and are therefore rejected for the above mentioned reasons.

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Conclusion

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Patent No US005742762 teaches managing multiple networks through a gateway,
- Patent No US006744780B1 teaches adaptive network management,
- Patent No US006167403A teaches network devices with selectable trap definitions,
- Patent No US006687748B1 teaches managing multiple network devices,
- Patent No US006047279A teaches automatic rule management for network elements,

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M Osman whose telephone number is (703) 305-8050.

The examiner can normally be reached on Monday through Friday 9AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 305-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

RMO

June 24, 2004


ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 210